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C O N F I D E N T I A L KUWAIT 005236

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STATE FOR D, NEA/FO, NEA/ARP, NEA/NGA, IO/UNP
GENEVA FOR STONECIPHER
LONDON FOR GOLDRICH
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E.O. 12958: DECL: 12/03/2012

TAGS: [PREL](#) [KPOW](#) [I2](#) [KU](#) [ICRC](#)

SUBJECT: (C) GULF WAR MISSING: IRAQ CLAIMS TO ACCEPT TPC
PROPOSAL

REF: KUWAIT 5134 AND PREVIOUS

Classified By: AMBASSADOR RICHARD H. JONES; REASON 1.5 (D)

[11.](#) (C) ICRC Delegate Michel Meyer told PolChief December 3 that his headquarters has received a letter from Arab League Secretary General Amr Mousa transmitting a November 27 letter

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from the Iraqi mission to the Arab League in Cairo, which affirmed that Iraq accepted the proposal by the Tripartite Commission (TPC - see paragraph 3 below) and had so informed ICRC in Baghdad. According to ICRC's Delegate in Baghdad, the Iraqi side expressed positive interest and promised to confirm acceptance in writing but had not yet done so as of December 2. ICRC is insisting that the GOI communicate officially and directly with it in writing, before taking action to convene an extraordinary session of the TPC to act on the proposal.

[12.](#) (C) Meyer added that he had briefed Rabeea Al-Adsani of Kuwait's National Committee for Missing and POW Affairs (NCMPA); he said Adsani was relieved to hear that ICRC was insisting on official, direct communication within the TPC context, fearing that Iraq was still maneuvering to undermine the TPC.

[13.](#) (C) For ease of reference: the proposal agreed at the October 24 TPC consultation in Geneva was to suspend for four months the quorum rule of the TPC's Technical Sub-Committee (TSC) "in order to allow meetings between Iraq and any other TPC member to address cases previously discussed in the TPC, in the presence of a third mutually agreed TPC member."

[14.](#) (C) COMMENT: Meyer seemed to believe we may be on the verge of a breakthrough in the deadlock that has prevented the TPC from meeting officially since late 1998 when Iraq decided to boycott the Commission in protest at the presence of the US and UK. We agree that ICRC is wise to insist on proper procedure to protect the integrity of the TPC process, which Baghdad has consistently sought to undermine.
RJONES